

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his
capacity as court-appointed Chapter 11
Trustee for LLS America, LLC,

Plaintiff,

v.

ANTHONY ALFARONE, et al.,

Defendants.

NO: CV-11-361-RMP

Bankr. Case No. 09-06194-PCW11
(Consolidated Case)

Adv. Proc. No. 11-80302-PCW11

DEFAULT JUDGMENT AGAINST
DEFENDANTS ANTHONY
ALFARONE AND LANGSTON
ALFARONE

JUDGMENT SUMMARY

Judgment Creditor: Plaintiff Bruce P. Kriegman

Attorneys for
Judgment Creditor: Witherspoon Kelley

Judgment Debtors: Anthony Alfarone and Langston Alfarone

DEFAULT JUDGMENT AGAINST DEFENDANTS ANTHONY ALFARONE
AND LANGSTON ALFARONE ~ 1

1 Attorney for
Judgment Creditor: None
2
3 Amount of Judgment: \$32,261.00
4 Interest Owed to Date
Of Judgment: \$ 0.00
5
6 Interest Rate: 0.11% per annum

7 **JUDGMENT**

8 The Court, having previously entered an Order Adopting the Bankruptcy
9 Court's Report and Recommendation and Order of Default against Defendants
10 Anthony Alfarone and Langston Alfarone, ECF No. 135, and being fully apprised
11 in the premises,

12 **IT IS HEREBY ORDERED , ADJUDGED, AND DECREED** that
13 Plaintiff, Bruce P. Kriegman, solely in his capacity as court-appointed Chapter 11
14 Trustee for LLS America, LLC, shall have a judgment against Defendants Anthony
15 Alfarone and Langston Alfarone, as follows:

16 1. Monetary Judgment in the amount of \$32,011.00 USD, pursuant to 11
17 U.S.C. § 550 and RCW 19.40.071;

18 2. Transfers in the amount of \$32,011.00 USD made to Defendants within
19 four years prior to the Petition Filing Date are hereby avoided, and Plaintiff may
20

1 take all necessary action to preserve the same pursuant to 11 U.S.C. §§ 544, 550,
2 551, and 548(a) and (b) and RCW 19.40.041(1) and (2) and RCW 19.40.071;

3 3. All said transfers to Defendants Anthony Alfarone and Langston
4 Alfarone are hereby set aside, and Plaintiff shall be entitled to recover the same, or
5 the value thereof, from Defendants Anthony Alfarone and Langston Alfarone for
6 the benefit of the estate of LLS America, pursuant to 11 U.S.C. §§ 544, 550, and
7 551;

8 4. All proofs of claim of Defendants which have been filed or brought or
9 which may hereafter be filed or brought by, on behalf of, or for the benefit of
10 Defendants Anthony Alfarone and Langston Alfarone, or their affiliated entities,
11 against the Debtor's estate in this bankruptcy or related bankruptcy proceedings are
12 hereby disallowed and subordinated to the monetary judgment granted herein, and
13 Defendants Anthony Alfarone and Langston Alfarone shall not be entitled to
14 collect on their proof of claim (Claim No. 384-1) until the monetary judgment is
15 satisfied by Defendants Anthony Alfarone and Langston Alfarone in full, pursuant
16 to 11 U.S.C. §§ 502(d), 510(c)(1), and 105(a);

17 5. A constructive trust is hereby established over the proceeds of all
18 transfers in favor of the Trustee for the benefit of the estate of LLS America; and

19 6. Plaintiff is hereby awarded costs (i.e. filing fee) in the amount of \$250.00
20 USD, for a total judgment of \$32,261.00, which shall bear interest equal to the

1 weekly average of one-year constant maturity (nominal) treasury yield as
2 published by the Federal Reserve System.

3 **IT IS SO ORDERED.**

4 The District Court Clerk is directed to enter this Judgment and provide
5 copies to counsel, Defendant, and Judge Frederick P. Corbit.

6 **DATED** this 3rd day of December 2013.

7
8 *s/ Rosanna Malouf Peterson*

ROSANNA MALOUF PETERSON
Chief United States District Court Judge